

# HOUSE . . . . . No. 970

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By Mr. Broadhurst of Methuen, petition of Arthur J. Broadhurst for legislation to authorize access to criminal offender record information of certain public school personnel. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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### AN ACT RELATIVE TO ACCESS TO CRIMINAL OFFENDER RECORD INFORMATION FOR CERTAIN SCHOOL POSITIONS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 71 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by striking out section 38R and  
2 inserting in place thereof the following section:—

3 Section 38R. The school committee and superintendent of any  
4 city, town or regional school district and the principal, by whatever title the position be known, of a public school of any city,  
5 town or regional school district shall have access to criminal  
6 offender record information, of (i) any applicant for any position  
7 in the school department, where applicable for hiring purposes,  
8 including, but not limited to, any subcontractor or laborer commissioned by the school committee of any city, town or regional  
9 school district to perform work on school grounds during any time  
10 where there may be direct contact with school children or any  
11 non-employee contract personnel who have frequent contact with  
12 students; and (ii) employees and non-employee contract personnel  
13 who have frequent contact with students. Such access shall be  
14 exercised in accordance with sections 167 to 178, inclusive, of  
15 chapter six.

16 Any entity which is under contract with a city, town or regional  
17 school district and has access to criminal offender record information may disseminate such information on any person described in  
18 this section to the school committee, superintendent or principal

23 of the city, town or regional school district with whom it is under  
24 contract and in which such person is applying for or performing  
25 work.